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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,363	06/26/2003	Santosh Savekar	14680US02	6108
23446 7590 12/19/2008 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER				
FABER, DAVID				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,363

Applicant(s)

SAVEKAR, SANTOSH

Examiner

DAVID FABER

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7, 8, 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7, 8, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the Request for Continued Examination filed on 14 October 2008.

This office action is made Non Final.

2. Claim 7 has been amended.
3. The rejection of Claims 7, 8, 10, and 11 under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Wallace et al (US PGPub 2002/0208112; filed 2/2/2001) has been withdrawn as necessitated by the amendment.
4. Claim 7, 8, and 10-11 are pending. Claim 7 is an independent claim.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
7. Claims 7 recite the limitation "...wherein the decompression engine creates the graphic before decompressing the compressed representation of the first frame." The

Examiner is able to find disclosure of the decompression engine creates the graphic after decompressing the compressed representation of the first frame as such in Paragraph 0024 and FIGs 2 and 7 of Applicant's disclosure; however, the Examiner is unable to find any disclosure stating wherein the decompression engine creates the graphic before decompressing the compressed representation of the first frame within the specification.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9 Claims 7, 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Purnaveja et al (US Patent 6006241, published 12/21/1999).

As per independent Claim 7, King et al discloses a decoder for annotating a frame, said decoder comprising:

- memory for storing a data structure, the data structure comprising a compressed representation of a first frame and at least one parameter; (FIG 1, block 14)
- creating a graphic, said graphic display the at least one parameter (Column 2, lines 49-51: King et al discloses created annotations that include free-hand

bitmap drawings (graphics). In addition, Applicant discloses the graphic displays at least one parameter. In Paragraph 0035 of the specification, Applicant discloses a parameter may consist of decode time or presentation time. Thus, the graphic displays time information. King et al discloses that such video frames are indexed by frame number and uses the example, QuickTime, having its index as a video time parameter. (Col 6, lines 35-42; FIG 2, 3)

- frame buffer for storing a second frame, the second frame comprising the first frame and the graphic. (Column 6, lines 51- Column 7, line 11; FIG 1, block 12).

However, King fails to specifically disclose a decompression engine for decompressing the compressed representation of the first frame, wherein the decompression engine creates the graphic before decompressing the compressed representation of the first time. However, Purnaveja et al discloses creating annotations, displayable events such as textual/graphical information, for a compressed video frames in a video stream. Then, the video stream and the annotations are sent to the client wherein the frames of the video stream are decompressed, is synchronized (combined) with the annotations and displayed to the client. Thus, Purnaveja discloses creating a graphic before decompressing the compressed representation of the first frame. In addition, since Purnaveja discloses the functionality for decompressing the compressed frame and also creating an annotation, Purnaveja providing the means and

the functionality of a decompressing engine. Therefore, Purnaveja provides a form of a decompression engine.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to modify King et al's annotating full motion video with Purnaveja et al's method of annotating compressed video frames in a video stream before decompressing to client over a network since it would have provided the benefit of efficiently utilizing the network and computer resources, and consuming minimal computational cycles on the client.

As per dependent claim 8, King et al further discloses a display controller (FIG 1, block 12) that "drives a monitor displaying a graphic user interface" (Column 4, lines 5-9) which inherently contains the scaling capability of a frame based on the rejection of claim 2.

As per dependent Claim 11, King et al further discloses "an annotation manager includes resources to select in response to user input an indexed data structure to be annotated and resources to create, in response to user input, an annotation data structure." (Column 2, lines 64-67) King et al's statement is equivalent that a number of parameters are present and receives an indication to user input or selecting a parameter. King et al further discloses a processor is included in Figure 1, block 10, which performs the indication.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Pumaveja et al (US Patent 6006241, published 12/21/1999) in further view of Wallace et al (USPGPub 2002/0208112; filed 2/2/2001).

As per dependent Claim 10, King et al and Pumaveja et al fails to disclose that the graphic is selected from a group consisting of a header, a footer, and a margin. However, Wallace et al discloses, e.g. Figure 3 and 4 and paragraph 0037, that the frame includes a header, and a footer.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to use King et al's annotation method and Pumaveja et al's method with Wallace et al's sample frame, within a data structure, that includes a header, which uniquely identifies the frame (paragraph 0037) since it would have allowed a user to identify the position of a header and its purpose for annotating display time or text without stealing focus of the main intention of the frame.

Response to Arguments

11. Applicant's arguments with respect to claims 7, 8, and 10-11 have been considered but are moot in view of the new ground(s) of rejection.

Arguments addressing in regards of the new limitations of Claims 7 brought forth in the amendment wherein the decompression engine creates the graphic before decompressing the compressed representation of the first time has been viewed the new ground of rejection of 35 USC 103(a) under new references using Pumaveja et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David Faber/
Examiner, Art Unit 2178

	/CESAR B PAULA/ Primary Examiner, Art Unit 2178
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